

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,	:	CASE NO. 3:21-CR-61
 Plaintiff,	:	 JUDGE THOMAS M. ROSE
 v.	:	
WILLIAM S. HITCHINGS,	:	UNITED STATES' MOTION FOR
 Defendant.	:	LEAVE TO FILE SENTENCING
	:	MEMORANDUM UNDER SEAL
	:	AND LEAVE TO FILE OUT OF TIME

Now comes the United States Attorney and respectfully requests leave to file its sentencing memorandum out of time. Sentencing was continued on several occasions to allow for Dr. Scott Bressler to interview Defendant William Hitchings and issue a report. On February 21, 2023, Hitchings filed his sentencing memorandum, with Dr. Bressler's report attached. (R. 58). The Government therefore had five (5) business days, or until February 28, 2023, to respond. (R. 43). The Government respectfully requests leave to file its sentencing memorandum out of time. The undersigned has spoken with defense counsel, and he does not object to this request.

The Government also respectfully moves this Court, pursuant to its inherent power to control papers filed with the Court, for authorization to file the Government's Sentencing Memorandum under seal and issue a protective order sealing said document from public inspection until otherwise directed by this Court. In support of this Motion, the United States Attorney states that the disclosure of the document is not warranted, due to the sensitive nature of the case, and to protect private information of the Defendant contained in Dr. Bressler's report and the final pre-sentence investigation report which will be necessary to reference in the memorandum.

The Government therefore respectfully requests leave to file its sentencing memorandum under seal. The Government also respectfully requests leave to file its sentencing memorandum

out of time by four (4) business days, by close of business on Monday, March 6, 2023, or by close of business on the date the motion for leave to seal is ruled on, whichever comes later.

Respectfully submitted,

KENNETH L. PARKER
UNITED STATES ATTORNEY

/s/ Christina E. Mahy
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion for Leave to file Sentencing Memorandum Under Seal and Out of Time was served, via ECF, upon counsel for defendant on this the 3rd day of March, 2023.

/s/ Christina E. Mahy
CHRISTINA MAHY (0092671)
Assistant United States Attorney